

Remarks

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. No claims have been cancelled. Therefore, claims 1, 3-15, and 17-42 are presented for examination.

Claims 1, 3-15, and 17-42 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Weiser et al. (U.S. Patent No. 5,982,520) in view of Tobin (U.S. Pub. No. 2002/0077992). Applicants submit that the present claims are patentable over Weiser in view of Tobin.

Weiser discloses a personal storage device for receipt, storage, and transfer of digital information to other electronic devices that has a pocket sized crush resistant casing with a volume of less than about ten cubic centimeters. A processor is positioned within the casing cavity and attached to the crush resistant casing, while a memory module also positioned within the casing cavity is configured to store received executable applications and data. An infrared transceiver is mounted on the crush resistant casing and in electronic communication with the processor and memory module to provide for receipt and storage of executable applications, and receipt, storage, and transfer of digital information to other electronic devices. The digital information stored by the personal storage device can be intermittently synchronized with other electronic devices. See Weiser at Abstract.

Further Weiser discloses a feature based upon its ability to execute small applications as well as transfer data. The personal storage device can be configured to be location sensitive, with periodic infrared transmissions used to determine the relative or absolute position of other infrared capable electronic devices. A user can then send data to adjacent devices, based on the personal storage devices ability to determine spatial proximity. This

function would be particularly advantageous for exchange of information such as "business card" data in a crowded room having many operating personal storage devices. For example, two users attempting to exchange data would merely have to move near each other, direct an infrared output cone toward each other's respective personal storage devices, and depress a button to initiate transfer of information to the adjacent personal storage device (col. 3, ll. 37-54.

Tobin discloses an electronic system that includes a user transaction device that provides a device identifier when coupled to a transaction terminal. The transaction terminal is configured to indicate that a transaction is to be performed when coupled to the user transaction device. The electronic system also includes a transaction privacy clearinghouse (TPCH), coupled selectively to the user transaction device when a transaction is to be performed. The TPCH is coupled to receive the device identifier and accessible data. Additionally, the accessible data is to be stored in a public storage area of a memory storage device that can be communicatively coupled to the user transaction device. The TPCH authorizes a transaction based upon the device identifier and the accessible data that includes account information of a user that is authorized to use the user transaction device. Moreover, a transaction is authorized without providing the identity of the user to the transaction terminal. The memory storage device also includes a private storage area for storage of confidential data such that the private storage area is to be encrypted with a key that is to be stored in the user transaction device. See Tobin at paragraph [0007].

Claim 1 of the present application recites a controller to establish a wireless communication link between a wireless communication module and a first remote device based upon access rights associated with the first remote device to the public storage area and

the private storage area. Applicants submit that neither Weiser nor Tobin disclose or suggest a controller to establish a wireless communication link between a wireless communication module and a first remote device based upon access rights associated with the first remote device to a public storage area and a private storage area.

Weiser discloses that the personal storage device can be configured to be location sensitive to determine relative position of other infrared capable electronic devices to enable a user to send data to adjacent devices *based on the personal storage devices ability to determine spatial proximity*. However, applicants submit that such a feature is not equivalent to establishing a communication link *based upon access rights associated with a first remote device to a public storage area and a private storage area*.

Meanwhile, Tobin simply discloses a user transaction device that includes a private storage area for storage of confidential data such that the private storage area is to be encrypted with a key that is to be stored in the user transaction device. Nonetheless, there is no disclosure or suggestion of communication being based on access rights to the private storage area and a public storage area. Since neither reference discloses or suggests establishing a wireless communication link between a wireless communication module and a first remote device based upon access rights associated with the first remote device to a public storage area and a private storage area, any combination of Weiser and Tobin would not disclose or suggest such a feature. Thus, claim 1 is patentable over Weiser in view of Tobin.

Claims 3-14 depend from claim 1 and include additional features. Thus, claims 3-14 are also patentable over Weiser in view of Tobin.

Independent claims 21 and 33 recite limitations similar to those recited in claim 1. Therefore, claims 21 and 33, as well as their respective dependent claims, are patentable over Weiser in view of Tobin for the reasons discussed above with respect to claim 1.

Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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